

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

CRESTWOOD MANAGEMENT, LLC;
SUNSET INTIMATES GROUP, INC.; and
REGINALD S. HOWIE,

Plaintiffs,

v.

SIMPLI TRADING, INC.; and SIMPLI
ASSETS, LTD.,

Defendants.

CIVIL ACTION NO.: 4:22-cv-291

ORDER

Before the Court is a “Stipulation of Dismissal With Prejudice” signed solely by counsel for Plaintiffs, wherein Plaintiffs state that they “stipulate that all claims against the remaining defendants in this case, who are not currently represented, are dismissed without prejudice.” (Doc. 93.) Because the filing was not signed by all parties who have appeared and who remain in the case, and because Defendants have filed an answer prior to dismissal, (see doc. 36), Plaintiffs cannot stipulate to the dismissal of the case without a Court order. See Fed. R. Civ. P. 41(a)(1) (“[T]he plaintiff may dismiss an action without a court order [only] by filing (i) a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment; or (ii) a stipulation of dismissal signed by all parties who have appeared.”). Accordingly, the Court **CONSTRUES** the filing as a motion, pursuant to Federal Rule of Civil Procedure 41(a)(2), for dismissal “at the plaintiff’s request . . . by court order, on terms that the court considers proper.”

The Court **REFRAINS** from ruling on the motion until the deadline for responses has passed (or until Defendants file a response, if they choose to do so).

SO ORDERED, this 8th day of May, 2025.

A handwritten signature in blue ink, appearing to read "R. Stan Baker". The signature is stylized with a large "R" and "S" and a cursive "Baker".

R. STAN BAKER, CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA